

Egyptian Regional Human Rights Authority
Meeting Minutes
July 30, 2013

The regular meeting of the Human Rights Authority (HRA) was held at IL Guardianship & Advocacy Commission, #7 Cottage Drive, Anna, IL. Chairperson Clarence Russell called the meeting to order at 5:10 p.m. and read the confidentiality statement. A quorum was present.

Members Present: Mary McMahan, Jim Livesay, Paul Jones, Judy Atherton, Pam O'Connor and Clarence Russell

Members Absent: Sue Barfield, Al Farmer, Sharon Mumford

Staff Present: Kim Conway, Teresa Parks

Guests: Leann Jones and Terrence Farrell, Herrin Hospital
Leah Hammel, Chester Mental Health

Minutes: Pam O'Connor made a motion to approve the May 21, 2013 meeting minutes. Judy Atherton seconded and it carried.

Communications: The board reviewed and discussed Senate Bill 0093 regarding a distinct and separate population being formed at Chester Mental Health for Sexually Violent Persons. Part of this bill includes language that this population would not be protected under the Mental Health and Developmental Disabilities Code. This bill passed both the House and Senate. The Governor approved it and it went into effect July 15, 2013. The board discussed updates to the IEP meeting policies, OIG statistics and the upcoming HRA training in Springfield. Teresa Parks shared updates on the community HRA that is being formed and its role within the HRA model.

Ratifications: None

New Complaints:

13-110-9033 State operated mental health facility - the complaint alleges that a recipient has been falsely accused of inappropriate sexual conduct which has impacted his continued stay at the facility and the reports filed with the Court. It is alleged that no investigation has been completed regarding the accusations; however, they are still being included in the report to the Court. A signed release has been received. Mary McMahan made a motion accept the case for investigation, Judy Atherton seconded and it carried.

13-110-9034 County School District - the complaint alleges that the school district would not make accommodations for a student with a disability. Specifically, they would not put in a ramp to allow accessibility to the football field (the student was in the band), put in a sidewalk to the asphalt near the band room, put in a wood plank to cover a ditch to the football field or encourage one student to push the student's wheelchair during field shows, parades and band camp so he could participate. The aide offered to write grants for the school to possibly get the funding to make the accommodations, but the school wouldn't allow her to. Another allegation is that they wouldn't let him ride a school bus to graduation practice or awards day at school

because he was "home bound" after a recent surgery and did not notify the parents in time to make alternative arrangements, even though the doctor released him to ride the bus. Finally, his aide of 9 years was reassigned & not allowed to go on to high school with him which could jeopardize him successfully attending high school. The complainant thinks this reassignment might be as a repercussion because the mother couldn't attend an IEP and asked the aide to attend on her behalf and the school district refused to allow her to participate saying she didn't have a right to be there. The school claims this decision was made to match the student up with a male aide but the complainant had never been aware of such accommodations before. Judy Atherton made a motion to accept the case for investigation, Pam O'Connor seconded and it carried.

13-110-9035 Public Benefit Agency - The complaint alleges that a person with a disability is being denied the medication that has proven to significantly reduce maladaptive behaviors. The CILA home received denial letters saying that alternative, preferred medications had to be tried. Reluctantly, and after much protest, the psychiatrist agreed to switch her to one of the preferred medications. Maladaptive behaviors significantly increased and jeopardized her community placement as well as the safety of others in the home. The psychiatrist put her back on the original, effective medication and then received more denial letters saying that 4 more had to be tried before they would pay for the one that works. The complainant feels this borders on human experimentation and is concerned about the person's well being as she is clearly uncomfortable and anxious when not on the effective medication. Mary McMahan made a motion to accept the case for investigation, Pam O'Connor seconded and it carried.

13-110-9036 State operated mental health facility - the complaint alleges the recipient was given Haldol which he is allergic to which caused adverse behaviors "makes him act strange, he doesn't know where he is and he "goes off". Since transfer to another state operated facility, he has not been given this medication and has been doing fine. The second allegation is that at his current placement, he is not being served in the least restrictive environment since he has had no problems since being off the medication. Mary McMahan made a motion to accept the case for investigation, Judy Atherton seconded and it carried.

Other New Business: The new HRA offices were announced: Clarence Russell, Chairperson; Judy Atherton, Vice-Chairperson and Pam O'Connor, Secretary. Paul Jones was introduced as the newest HRA board member.

Unfinished Business: A motion was made by Pam O'Connor to enter closed session at 5:37 p.m. to accommodate guests present. Judy Atherton seconded and it carried. Leann Jones and Terrence Farrell remained in closed session to discuss confidential information regarding the draft report on case 13-110-9024. This discussion ended at 6:00 p.m. and Herrin Hospital guests left the meeting. At 6:03 p.m. Leah Hammel from Chester Mental Health was brought in to closed session and Paul Jones was excused due to a conflict of interest. Confidential information was discussed regarding the facility's response to HRA recommendations regarding case 12-110-9017. This discussion ended at 6:45 p.m. and Leah Hammel left the meeting. Paul Jones was brought back in to closed session to discuss confidential information regarding case progress, draft reports and case closures on cases that did not involve Chester Mental Health Center. The HRA returned to open session at 7:40 p.m. having taken no action in closed session. The following summary of items was discussed in closed session: Case progress was reviewed for

cases # 13-110-9010; 13-110-9027; 13-110-9029 and 13-110-9030. Draft reports were reviewed for cases # 12-110-9035 and 13-110-9024. Case closures were considered for cases # 12-110-9009 and 13-110-9004.

Case Progress Reports:

13-110-9010 Choate Mental Health and Developmental Center - Chart review and initial interview with the facility have been completed. The case is still under investigation.

13-110-9027 Trafford Estates/Choate Mental Health and Developmental Center - Site investigations have been completed at Trafford Estates and the County Jail. The initial chart review has been completed at Choate. The case is still under investigation.

13-110-9029 Choate Mental Health and Developmental Center - Initial chart review has been completed at Choate. Once copies of records are received, a more detailed review can be done. The case is still under investigation.

13-110-9030 Choate Mental Health and Developmental Center - Initial chart review has been completed at Choate. Once copies of records are received a more detailed review can be done. The case is still under investigation.

Report of Findings:

12-110-9035 Choate Mental Health and Developmental Center - The draft report was reviewed. Mary McMahan made a motion to approve the report as stated. Judy Atherton seconded and it carried.

13-110-9024 Herrin Hospital - The draft report was reviewed. Mary McMahan made a motion to approve the report as stated. Judy Atherton seconded and it carried.

Case Closures:

12-110-9009 Choate Mental Health and Developmental Center - The response to HRA recommendations was reviewed. Judy Atherton made a motion to accept the response, close the case and make the findings public sending copy to Michelle Saddler at DHS for informational purposes. Pam O'Connor seconded and it carried.

13-110-9004 Choate Mental Health and Developmental Center - A response to the HRA recommendations has not yet been received. Pam O'Connor made a motion to table case closure with a second reminder letter being sent to the facility that a response is required before case closure can occur. Paul Jones seconded and it carried.

Paul Jones then left the meeting due to a conflict of interest on the remaining cases on the agenda.

A motion was made by Pam O'Connor to re-enter closed session at 7:50 p.m. to discuss confidential information regarding case progress, draft reports and case closures involving Chester Mental Health Center. Jim Livesay seconded and it carried. The HRA returned to open session at 8:45 p.m. having taken no action in closed session. The following summary of items was discussed in closed session: Case progress was reviewed for Cases #13-110-9008; 13-110-9020; 13-110-9021; 13-110-9025; 13-110-9026; 13-110-9028; 13-110-9031 and 13-110-9032. Draft reports were reviewed for Cases #13-110-9013; 13-110-9014; 13-110-9015; 13-110-9016; 13-110-9017; 13-110-9018 and 13-110-9019. Case closures were considered for Cases #12-110-9017; 12-110-9038; 13-110-9004; 13-110-9005; 13-110-9007; 13-110-9009 and 13-110-9012.

Case Progress Reports:

13-110-9008 Chester Mental Health - Case progress was reviewed. The case is ready for report.

13-110-9020 Chester Mental Health - Records requested have been received. After review, the case will be ready for report.

13-110-9021 Chester Mental Health - Records have been reviewed. The case is ready for report.

13-110-9025 Chester Mental Health - Records have been reviewed. The case is ready for report.

13-110-9026 Chester Mental Health - Records requested have been received. After review, the case will be ready for report.

13-110-9028 Chester Mental Health - Records requested have been received. After review, the case will be ready for report.

13-110-9031 Chester Mental Health - Records requested have been received. After review, the case will be ready for report.

13-110-9032 Chester Mental Health - Records requested have been received. After review, the case will be ready for report.

Reports of Findings:

13-110-9013 Chester Mental Health - The draft report was reviewed. Judy Atherton made a motion to approve the report as stated. Pam O'Connor seconded and it carried.

13-110-9014 Chester Mental Health - The draft report was reviewed. Judy Atherton made a motion to approve the report as stated. Pam O'Connor seconded and it carried.

13-110-9015 Chester Mental Health - The draft report was reviewed. Judy Atherton made a motion to approve the report as stated. Pam O'Connor seconded and it carried.

13-110-9016 Chester Mental Health - The draft report was reviewed. Mary McMahan made a motion to approve the report as stated. Judy Atherton seconded and it carried.

13-110-9017 Chester Mental Health - The draft report was reviewed. Judy Atherton made a motion to approve the report as stated. Pam O'Connor seconded and it carried.

13-110-9018 Chester Mental Health - The draft report was reviewed. Mary McMahan made a motion to approve the report as stated pending final review by the HRA Director. Jim Livesay seconded and it carried.

13-110-9019 Chester Mental Health - The draft report was reviewed. Mary McMahan made a motion to approve the report as stated pending final review by the HRA Director. Jim Livesay seconded and it carried.

Case Closures

12-110-9017 Chester Mental Health - Pam O'Connor made a motion to table case closure sending a letter to Chester requesting that additional concerns be addressed. Mary McMahan seconded and it carried.

12-110-9038 Chester Mental Health - Pam O'Connor made a motion to accept the response, close the case and make the findings public. Judy Atherton seconded and it carried.

13-110-9005 Chester Mental Health - Pam O'Connor made a motion to accept the response, close the case and make the findings public. Judy Atherton seconded and it carried.

13-110-9007 Chester Mental Health - Judy Atherton made a motion to accept the response, close the case and make the findings public. Pam O'Connor seconded and it carried.

13-110-9009 Chester Mental Health - Mary McMahan made a motion to accept the response, close the case and make the findings public. Jim Livesay seconded and it carried.

13-110-9012 Chester Mental Health - Judy Atherton made a motion to accept the response, close the case and make the findings public. Pam O'Connor seconded and it carried.

Other Unfinished Business:

The next meeting is scheduled for 5:00 p.m. on September 24, 2013 in the Murphysboro area, location to be determined. Meeting dates were also set for November 19, 2013 at Shawnee Community College in Metropolis and January 28, 2014 at Union County Counseling in Anna.

Pam O'Connor made a motion to adjourn at 8:52 p.m. Judy Atherton seconded and it carried.

Respectfully Submitted,
Pam O'Connor, Secretary